101-386

Public Law 101-386
101st Congress

An Act

To amend the Act of June 20, 1910, to clarify in the State of New Mexico authority to exchange lands granted by the United States in trust, and to validate prior land exchanges.

Sept. 20, 1990
[S. 2597]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO EXCHANGE LAND.

Section 10 of the Act of June 20, 1910 (36 Stat. 563), is amended by inserting after the ninth paragraph thereof the following new paragraph:

"The State commissioner of public lands may exchange any land granted or confirmed by this Act for any land of the United States or an agency thereof, a State agency or political subdivision, a beneficiary of lands granted or confirmed by this Act, an Indian tribe or pueblo, or a private entity when the commissioner finds, after consultation with the chief administrative officer of the affected beneficiary of lands granted or confirmed by this Act, that—

"(1) based upon appraisals of the true value thereof, the value of the land to be received by the State is equal to or greater than the land to be conveyed by the State; and

"(2) the proposed exchange is beneficial to the interests of the affected beneficiary.".

SEC. 2. EFFECTIVE DATE.

(a) FINDING.—The Congress finds that the retroactive application of the amendment made in section 1 to approve, validate, and ratify land exchanges made prior to the effective date of the amendment will not prejudice the interests of any person and will benefit the interests of the parties to such exchanges, the beneficiaries of land granted or confirmed under the Act of June 20, 1910, and the public.

(b) RETROACTIVE APPLICATION.—On the date that the Secretary of State of the State of New Mexico certifies that the people of the State of New Mexico have consented to this Act by amendment of article XXI of the constitution of the State of New Mexico, the amendment made in section 1 shall be effective as of June 20, 1910, so as to approve, validate, and ratify all exchanges made after that date of lands granted or confirmed to the State of New Mexico after that date.

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SEC. 3. CONSENT TO CONSTITUTIONAL AMENDMENTS.

The consent of Congress is given to amendments to article XXI of the Constitution of the State of New Mexico to consent to the amendment made in section 1, to become effective as of June 20, 1910, as provided in section 2.

Approved September 20, 1990.

LEGISLATIVE HISTORY—S. 2597:

CONGRESSIONAL RECORD, Vol. 136 (1990):
Aug. 1, considered and passed Senate.
Sept. 10, considered and passed House.

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